



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,098	06/14/2001	Douglas Allyn Miller	005217.P055	7973

32611 7590 05/11/2004

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVENUE, SUITE 6300  
SEATTLE, WA 98104-7092

EXAMINER
----------

FAILE, ANDREW I

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 05/11/2004

#7

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No. 7

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVENUE, SUITE 6300  
SEATTLE WA 98104-7092

In re Application of )  
Douglas Miller )  
Application No. 09/883,098 )  
Filed: June 14, 2001 )  
For: ADVERTISEMENT SWAPPING USING AN )  
AGGREGATOR FOR AN INTERACTIVE )  
TELEVISION SYSTEM )

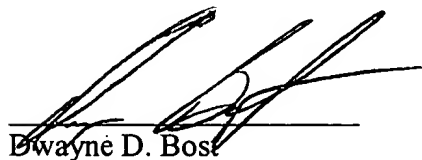
**NOTIFICATION OF  
IDENTIFICATION OF PRIOR  
ART IN LATE PROTEST UNDER 37  
C.F.R. § 1.291(a)**

The protest filed April 27, 2004, is a proper citation under 37 C.F.R. §1.291(a); however it was filed after the March 6, 2003 publication date of the application.

Because the protest was filed after publication of the application it is not being entered in the application file. The original protest is enclosed with this letter and the duplicate copy submitted by the protestor is being destroyed in accordance with MPEP § 1901.06, Protest Filed After Allowance Or The Publication Of The Application.

If appropriate, Applicant may wish to consider submitting prior art from the protest pursuant to 37 C.F.R. §1.97 and 37 C.F.R. §1.56 during the prosecution of the application.

The protest did not satisfy the requirements pursuant to 37 C.F.R. §1.99 for failure to provide copies of the references and failure to pay the appropriate fee.



Dwayne D. Bost  
Special Programs Examiner  
Technology Center 2600  
Communications

Enc: Protest (4 pages)